

MINUTES OF COUNCIL STUDY MEETING – JUNE 21, 2016

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, JUNE 21, 2016, AT 4:30 P.M. IN THE MULTI-PURPOSE ROOM, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER AND CONDUCTED BY MAYOR BIGELOW.

THE FOLLOWING MEMBERS WERE PRESENT:

Ron Bigelow, Mayor
Don Christensen, Councilmember At-Large
Lars Nordfelt, Councilmember At-Large
Tom Huynh, Councilmember District 1
Steve Buhler, Councilmember District 2
Karen Lang, Councilmember District 3
Steve Vincent, Councilmember District 4

STAFF PRESENT:

Wayne Pyle, City Manager
Nichole Camac, City Recorder

Paul Isaac, Assistant City Manager/HR Director
Nicole Cottle, Assistant City Manager/CED Director
Eric Bunderson, City Attorney
Jim Welch, Finance Director
Lee Russo, Police Chief
John Evans, Fire Chief
Layne Morris, CPD Director
Russell Willardson, Public Works Director
Kevin Astill, Parks and Recreation Director
Sam Johnson, Strategic Communications Director
Jake Arslanian, Public Works Department
Andrew Wallentine, Administration
DeAnn Varney, Administration
Steve Pastorik (CED)
Steve Lehman (CED)
Jody Knapp (CED)

1. **APPROVAL OF MINUTES OF STUDY MEETING HELD JUNE 7, 2016**
The Council read and considered Minutes of the Study Meeting held June 7, 2016. There were no changes, corrections or deletions.

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Councilmember Karen Lang moved to approve the Minutes of the Study Meeting held June 7, 2016. Councilmember Lars Nordfelt seconded the motion.

A voice vote was taken and all members voted in favor of the motion.

2. REVIEW AGENDA FOR REGULAR MEETING SCHEDULED JUNE 21, 2016

Upon inquiry by Mayor Bigelow there were no further questions or concerns from members of the City Council regarding items listed on the Agenda for the Regular Council Meeting scheduled later this night.

3. AWARDS, CEREMONIES AND PROCLAMATIONS SCHEDULED MAY 3, 2016

A. PROCLAMATION DECLARING JULY 1 THROUGH JULY 7, 2016 AS "INDEPENDENTS WEEK 2016" IN WEST VALLEY CITY

Mayor Ron Bigelow offered to read the proclamation declaring July 1 through July 7, 2016 as “Independents Week 2016” at the Regular Council Meeting scheduled June 28, 2016, at 6:30 P.M.

4. PUBLIC HEARINGS SCHEDULED JUNE 28, 2016

A. PUBLIC HEARING, ACCEPT PUBLIC INPUT ON APPLICATION Z-7-2016, FILED BY KEN MILNE, REQUESTING A ZONE CHANGE FROM 'A' (AGRICULTURE, MINIMUM LOT SIZE 1/2 ACRE) TO 'RE' (RESIDENTIAL ESTATE) ON PROPERTY LOCATED AT 3654 AND 3664 SOUTH 6400 WEST

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled June 28, 2016, in order for the City Council to hear and consider public comments regarding Application No. Z-7-2016, filed by Ken Milne, requesting a Zone Change from 'A' (Agriculture, Minimum Lot Size 1/2 Acre) to 'RE' (Residential Estate) on property located at 3654 and 3664 South 6400 West.

Proposed Ordinance No. 16-30 and proposed Resolution 16-102 related to the proposal to be considered by the City Council subsequent to the public hearing, was discussed as follows:

ORDINANCE NO. 16-30, AMENDING THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 3654 AND 3664 SOUTH 6400 WEST FROM ZONE 'A' (AGRICULTURE, MINIMUM LOT SIZE 1/2 ACRE) TO ZONE 'RE' (RESIDENTIAL ESTATE)

Steve Pastorik, CED Department, discussed proposed Ordinance No. 16-30 that would amend the zoning map to show a change of Zone for property located at 3654 and 3664 South 6400 West from Zone 'A' (Agriculture, Minimum Lot Size 1/2 Acre) to Zone 'RE' (Residential Estate)

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Written documentation previously provided to the City Council included information as follows:

Ken Milne has requested a zone change on two parcels totaling 1.38 acres at 3654 and 3664 South 6400 West from A (agriculture, minimum lot size of ½ acre) to RE (residential estate). A large portion of the surrounding property was rezoned to the RE Zone on the 17th of this month. The neighborhoods to the north and east are zoned R-1-8. The property is surrounded largely by single family homes to the north and east and agricultural ground to the west and south. The subject property is designated as large lot residential, which anticipates 2 to 3 units/acre, in the West Valley City General Plan.

The applicant has submitted a concept plan, which is attached, that shows the subject property, together with the Newton property that was just rezoned, being subdivided into 61 lots plus a 1 acre park yielding a density of 2.3 units/acre. The parcel on 6400 West includes a home that, according to the County Assessor, was built in 1895. This home will likely remain.

The applicant has proposed that the same development agreement approved for the Newton property be used for the subject property with one amendment. On the north portion of the property along 6400 West, the total frontage is about 179'. Given the minimum lot width of 100', the applicant is requesting a lot width reduction to 80' to allow for two lots fronting on 6400 West.

Upon inquiry, there were no further questions or concerns expressed by members of the City Council.

RESOLUTION NO. 16-102, AUTHORIZING THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH ARCADIA PROPERTIES LLC FOR APPROXIMATELY 26.74 ACRES OF PROPERTY

Steve Pastorik, CED Department, discussed proposed Resolution No. 16-102 that would authorize the City to enter into a development agreement with Arcadia Properties LLC for approximately 26.74 acres of property.

Written documentation previously provided to the City Council included information as follows:

Ken Milne with Arcadia Properties, LLC has submitted a rezone application (Z-7-2016) to change 1.38 acres at 3664 S 6400 W from A (agriculture, minimum lot size ½ acre) to RE (residential estate). The Council recently rezoned 25.36 acres adjacent to the subject property to the new RE Zone and approved a development

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agreement for the property. This resolution replaces the original development agreement with a new one that adds the 1.38 acres of property and includes a provision to reduce the minimum lot width to 80' for two lots along 6400 West. Aside from these two changes, the development agreement is the same as approved before.

As a reminder, the development agreement includes:

- Standards for landscaping that exceed ordinance requirements
- Standards for fencing that are not required by ordinance
- A rear yard setback reduction for lots with depths less than 100'
- Provisions that require the dedication of at least 1 acre for a park in exchange for City participation in the costs of the roads adjacent to the park, a reduction in the park impact fees and a reduction in lot size. The proposed reduction in lot size does not increase the number of lots but simply allows the same number of lots as if no park was provided.

Upon inquiry, there were no further questions or concerns expressed by members of the City Council.

The City Council will hold a public hearing and consider Application No. Z-7-2016, proposed Ordinance No. 16-30, and proposed Resolution No. 16-102 at the Regular Council Meeting scheduled June 28, 2016, at 6:30 P.M.

5. **CONSENT AGENDA SCHEDULED JUNE 28, 2016**

A. **RESOLUTION NO. 16-103, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF BRENT FULLER TO THE PLANNING COMMISSION, TERM: JULY 1, 2016 TO JULY 1, 2020**

Mayor Bigelow discussed proposed Resolution No. 16-103 that would ratify the City Manager's reappointment of Brent Fuller to the Planning Commission, Term: July 1, 2016 to July 1, 2020

Written documentation previously provided to the City Council included information as follows:

The Planning Commission is composed of seven members and one alternate appointed and reappointed by the City Manager with the advice and consent of the City Council. Any Planning Commission member may be reappointed for an additional term and there is no limit to the number of terms a member may serve.

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Brent Fuller is a current Planning Commissioner and his term is due to expire on July 1, 2016. He was first appointed to the Planning Commission on August 6, 1992.

Upon inquiry, there were no further questions or concerns regarding the proposal.

The City Council will consider proposed Resolution No. 16-103 at the Regular Council Meeting scheduled June 28, 2016, at 6:30 P.M.

B. RESOLUTION NO. 16-104, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF LATAI TUPOU TO THE PLANNING COMMISSION, TERM: JULY 1, 2016 TO JULY 1, 2020

Mayor Bigelow discussed proposed Resolution No. 16-104 that would ratify the City Manager's reappointment of Latai Tupou to the Planning Commission, Term: July 1, 2016 to July 1, 2020

Written documentation previously provided to the City Council included information as follows:

The Planning Commission is composed of seven members and one alternate appointed and reappointed by the City Manager with the advice and consent of the City Council. Any Planning Commission member may be reappointed for an additional term and there is no limit to the number of terms a member may serve.

Latai Tupou is a current Planning Commissioner and her term is due to expire on July 1, 2020. She was first appointed to the Planning Commission as an alternate on March 4, 2014.

Upon inquiry, there were no further questions or concerns from members of the City Council.

The City Council will consider proposed Resolution No. 16-104 at the Regular Council Meeting scheduled June 28, 2016, at 6:30 P.M.

C. RESOLUTION NO. 16-105, AUTHORIZING THE CITY TO ENTER INTO A RIGHT-OF-WAY CONTRACT WITH ALBERT E. GUTHRIE AND GLENDA C. GUTHRIE AND TO ACCEPT A TEMPORARY CONSTRUCTION EASEMENT FOR PROPERTY LOCATED AT 3909 SOUTH 7200 WEST (14-34-305-001)

Mayor Bigelow discussed proposed Resolution No. 16-105 that would authorize the City to enter into a Right-Of-Way Contract with Albert E. Guthrie and Glenda C. Guthrie and to accept a Temporary Construction Easement for property located

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at 3909 South 7200 West (14-34-305-001).

Written documentation previously provided to the City Council included information as follows:

The Albert E. Guthrie and Glenda C. Guthrie parcel located at 3909 South 7200 West is one of the properties affected by the 7200 West 3900 South Canal Bridge Rehabilitation Project. This project will reconstruct and widen the canal bridge on 7200 West at approximately 3900 South. No additional right-of-way is needed from Albert E. Guthrie and Glenda C. Guthrie parcel, however a Temporary Construction Easement is needed to facilitate construction of the project. Compensation for the purchase of the Temporary Construction Easement and improvements is \$2,000.00 based upon the compensation estimate prepared by Integra Realty Resources.

The project is being funded under the Surface Transportation Program (STP) with federal funds, and is a joint project between Salt Lake County and West Valley City. Salt Lake County executed the Federal Aid Agreement between the county, UDOT and Federal Highways. West Valley City previously executed an interlocal agreement with Salt Lake County, detailing how matching funds will be shared between the two entities. The city and county are jointly responsible for 6.77% of all project costs, including right of way. The city's portion of the matching funds on the project will be paid to Salt Lake County. The total value of the Temporary Construction Easement is \$2,000.00, making the West Valley City share of the easement \$135.40.

Mayor Bigelow asked if there will be other properties requiring the same approval for this project. Russell Willardson, Public Works Director, replied yes.

Upon inquiry by Mayor Bigelow there were no further questions or concerns from members of the City Council.

The City Council will consider proposed Resolution No. 16-105 at the Regular Council Meeting scheduled June 28, 2016, at 6:30 P.M.

6. **COMMUNICATIONS**

A. **BUDGET UPDATE**

Jim Welch, Finance Director, presented. He stated that a judgment levy was received and the City must ensure that the proper tax rate notifications are published in the newspaper and the Tax Commission is made aware and understand the goals of the City. He added that the notification will need to be published June 22, 2016

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but doesn't commit the Council to the property tax rate increase. Mr. Welch explained the judgment levy that was provided in the City Council packet.

Councilmember Tom Huynh asked if the judgment levy is mandatory or optional. Mr. Welch replied that the levy must be responded to but the Council's action is optional. He indicated that the proposed percentage would allow the City to cover the various operational and miscellaneous increases needed in the upcoming fiscal year. Councilmember Huynh indicated that he would like to see other ways of covering these costs such as increasing the cost of a business license, building permit, etc.

Councilmember Steve Buhler stated that the City has always captured the judgment levy and should continue to do so.

Members of the City Council discussed past judgment levies and the process of publishing the rates and percentages. Members of the Council concurred that they were comfortable publishing the maximum 9.9% proposed increase since this could be modified at the scheduled budget meeting on August 9, 2016.

Councilmember Tom Huynh asked why the City doesn't use a bond to cover the needed costs. Mr. Welch indicated that it is against State law to use bonding money for operational costs.

City Manager, Wayne Pyle, and members of the City Council discussed various options of funding.

B. **COUNCIL UPDATE**

Upon inquiry by Mayor Bigelow there were no further questions or concerns from members of the City Council.

C. **POTENTIAL FUTURE AGENDA ITEMS**

Councilmember Lars Nordfelt stated that a member of the Historical Society, Sheri Biesinger, has suggested that Bob Hayward, a retired Patrol Officer, receive recognition from the Mayor and Council via the Essential Piece Award. Councilmember Nordfelt read the nomination and the Council agreed that Mr. Hayward is deserving of the recognition.

7. **COUNCIL REPORTS**

A. **COUNCILMEMBER STEVE VINCENT- WESTFEST**

Councilmember Steve Vincent stated that attendance was lower than previous years at the annual WestFest celebration that was held the previous week. Councilmember Karen Lang asked if the event was held earlier than normal and

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Councilmember Vincent replied no. He stated that he would like to work with City Staff to potentially reinvent the parade which may draw more people to the event. He added that there is also a need for more people to join the committee as many members will be retiring soon.

B. COUNCILMEMBER KAREN LANG- CITY PARK

Councilmember Karen Lang stated that there is a flag burning monument at City Park that the City has received numerous complaints on due to its disrepair. She stated that the Scout organization has been unable to find the means to repair it so she would suggest that it be removed. Members of the City Council agreed.

C. COUNCILMEMBER DON CHRISTENSEN- CITY PARK

Councilmember Don Christensen stated that he is trying to find a monument that the SUP placed at City Park and has since been removed. He indicated that he would potentially like to see the various monuments placed by the SUP throughout the City tastefully brought to Fairbourne Station.

8. MOTION TO ADJOURN

Upon motion by Councilmember Vincent, all voted in favor to adjourn.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE STUDY MEETING OF TUESDAY, JUNE 21, 2016, WAS ADJOURNED AT 5:22 P.M. BY MAYOR BIGELOW.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Study Meeting of the West Valley City Council held Tuesday, June 21, 2016.

Nichole Camac
City Recorder